

**REMARKS**

**STATUS OF CLAIMS**

Claim 1-18 and 25-34 are pending.

Claims 1-18, 25-29, and 32 are rejected under 35 USC 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s) at the time the application was filed, had possession of the claimed invention.

Claims 1-18, 25, 26, 29 and 32 are rejected under 35 USC 112, second paragraph, as being indefinite.

1. The Examiner maintains the rejection of claims 1, 3, 5, 27, 30, 33 and 34, under 35 USC 103(a) as being unpatentable over Fargher (US Patent No. 5,826,040) in view of Matsuzaki (US Patent No. 5,767,848). Therefore, the independent claims 1, 27, 30, 33 and 34 are still rejected over Fargher and Matsuzaki. Page 5, item 4 of the Office Action.

2. The Examiner maintains the rejection of dependent claims 4, 6, and 11-15, under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, and "IBM Disclosure Bulletin." Page 7, item 5 of the Office Action.

3. The Examiner maintains the rejection of dependent claims 2, 28-29, and 31-32, under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM Bulletin and Rapazo (PC Week). Page 9, item 6 of the Office Action.

4. The Examiner maintains the rejection of dependent claims 7-9 and 25, under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM Bulletin, Persham, (US Patent No. 5,260,986), Hwang (US Patent No. 5,530,892), Gaskill (US Patent No. 5,440,559), Morishima (US Patent No. 5,589,956) and D'Agosto (US Patent No. 4,975,896).

5. The Examiner maintains the rejection of dependent claims 10, 26, 17 and 18, under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM Bulletin, Waldren (US Patent No. 4,884,219), Zinsmeyer (US Patent No. 3,927,800) and Morishima.

6. The Examiner maintains the rejection of dependent claim 16, under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM Bulletin, Waldren, Zinsmeyer, Morishima, and Weber (US Patent No. 4,995,071).

Claims 1, 6, 27, 29, 30, 32, 33, and 34 are amended.

Thus, claims 1-18 and 25-34 remain pending for reconsideration, which is respectfully requested.

No new matter has been added in this Amendment. The foregoing rejections are respectfully traversed.

Entry of this Amendment and reconsideration of the claims is respectfully requested because the amendments and remarks clarify the patentably distinguishing features of the present invention over the relied upon references, because it is believed that the amendment of claims(s) as suggested by the Examiner and/or in view of the Examiner comments put this application into better condition for allowance, and because in view of the Examiner's rejection rationale, the Applicant(s) should be provided the opportunity to present patentability arguments in view thereof.

#### **REJECTIONS**

The independent claims are 1, 27, 30, 33 and 34.

#### **INVENTOR COMMENTS ABOUT THE CLAIMED INVENTION**

To be specific, the present invention can enhance security in units of a group. In a job to be performed by a group, it is possible to use, in the prior art, software not authorized to the group, even if the software is not permitted to be used by that group. That is, if there is someone in the group who is authorized to use the software by contract, that person in the group can easily utilize the same, even if the software must not be utilized by that group as a whole. If the job is changed, the members who are working on the job change as well.

However, if there is someone among the members who has a right to use the software, he or she exclusively can use the same. Further, there is a possibility that, if he or she leaves the above members, the job being handled by the members will be suspended. Such a problem can be overcome by the present invention. This is because, software required for a job must be used, in the present invention, on the basis of the "job definition form," as claimed in the claims of the present invention, but not on a "person by person" basis as in the prior art.

#### **35 USC 112, FIRST PARAGRAPH, REJECTION**

The Examiner maintains the rejection of claims 1-18, 25, 26 and 32, under 35 USC 112, first paragraph, for allegedly not being enabled. The Examiner newly rejects claims 27-29 under 35 USC 112, first paragraph.

In particular, the Examiner's non-enabling rejections are the following claim recitations:

(1) Regarding page 15, item 2(b) of the Office Action, "a group of workers as a job" in claim 1, which is traversed herein and as part of traversing the 35 USC 103 rejections, as follows:

The Examiner imposes the prior art on the present claimed invention by asserting that it is the job which has the job object, and the Applicants (i.e., inventors) respectfully request that the Examiner reconsider and give weight to the specification, page 8, lines 16-20, which provides:

The procedure memory 1 stores and updates a job definition form 11 that defines the period, members, processes, windows, objects, and data of each job of each group. The job definition form 11 is used to share resources among the group.

Therefore, the job definition form defines a job of a group (i.e., defines a group and its job) and does not define a job and a group assigned to the job. This subtle but important difference between the present invention and the prior art is a patentably distinguishing feature.

FIG. 9 of the present Application, which is a job definition form, expressly discloses, "GROUP A (JOB A1) ... GROUP Z (JOB Z1)," members of the "GROUPS A-Z," and the jobs of each group, such as "GROUP A (JOB A1): resource ([window, ...], [object, ...], [data1, ...]). If each group carries out a single job, the name of the job is omitted and only the name of the group is specified. See, page 16, lines 14-30 of the specification. As discussed further below, the independent claims are amended to remove the redundant phrase as follows: "a form generator generating job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions; ~~conditions~~, each ~~job definition form representing a group of workers as a job~~;" Therefore, now the independent claims 1, 27, 30, 33 and 34, using claim 1 as an example, recite, "generating job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions."

(2) Regarding page 16, item (3) of the Office Action, "emergency worker group" in dependent claim 4, the rejection rationale of which is not appropriate, as follows. The Examiner in page 16, item (3), asserts: "the specification would have to define the composition of the group more narrowly to only include workers. The use of the term workers throughout the specification connotes non-management, non-supervisory employees." However, the Examiner imposes his own system requirements, which is not appropriate, not supported by law, and not

supported by the MPEP.

The Applicants can design the system any way desired so long as described and understood by one skilled in the art (35 USC 112, first paragraph). In the present invention one skilled in the art would understand that the "emergency worker group" can be very broad to include any and all types of persons. Page 9, lines 21-24 of the specification speaks for itself and can be understood by one skilled in the art as being a group of workers (any type of workers as desired according to application design and without limitation) allowed access to every resource of every group. In response to a trouble notice from the job monitor 2, the emergency group 6 tries to solve the problem (page 9, lines 21-24 of the specification).

Further, page 8, lines 12-15 of the specification, discloses that a group consists of workers, i.e., member, thereby the makeup of a group not being limiting. It is respectfully asserted that any type of member can be designated to solve a problem in an emergency, and it cannot be limited as suggested by the Examiner. There is absolutely no reason why the emergency group should be more specifically described to be understood by one skilled in the art. Withdrawal of the rejection of dependent claim 4 is respectfully requested, and because the Examiner does not provide any prior art rejection for dependent claim 4, it is understood that dependent claim 4 is allowable.

(3) Regarding page 17, item 4(b) of the Office Action, "request unit" in claim 6, the rejection rationale of which is not clear, because one skilled in the art would understand page 12, lines 10-17 of the present specification to implement a "request unit." Further, the "request unit" 10a is disclosed in page 12, lines 20-24 and FIG. 24, of the specification. Nevertheless, dependent claim 6 is amended to recite, "requesting unit," taking into consideration the Examiner's comment.

(4) Regarding page 17, item 4(c) of the Office Action, "group permission information" in dependent claim 6, the rejection rationale of which not appropriate, as follows. Again, the Examiner imposes his own system requirements, which is not appropriate, not supported by law, and not supported by the MPEP. The Examiner asserts:

A (Worker) group is only related to the permissions while it is assigned to work on a given job. It is in the job which is directly related to a job definition form. As stated above, the specification does not define a worker group as a job. It is illogical to make the relationship's transfer from the job to the worker group in any formal, definitional way.

However, what the Examiner alleges to be illogical, actually support patentability of the

claimed invention over the relied upon references. In FIG. 36, a "job definition" form is illustrated, which discloses a "GROUP C" and the jobs of "GROUP C." Further, in FIG. 36, the permission information of the GROUP C are defined. The permission information of GROUP C provides how a GROUP can provide permission to use one of its resources, so, for example, for WORKER 1, a portable telephone is specified, which can be used to contact the WORKER 1 to obtain permission to use a resource of WORKER 1. The Examiner, in page 17, item 4(c), suggest that the term "group permission information" should be changed to "job permission information," however, such a change would be contrary to the present invention.

The Applicants assert that it is not illogical to "generating job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions; ~~conditions, each job definition form representing a group of workers as a job;~~ a resource manager managing the job-object conditions worker group by worker group in real-time based upon the job definition form" (e.g., amended independent claims 1, 27, and 30). In other words, Fargher and Matsuzaki, and none of the other relied upon prior art, provide, "generating job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions; ~~conditions, each job definition form representing a group of workers as a job;~~", but the prior art only defines jobs, and, further in contrast to the prior art, in the present claimed invention software required for a job must be used on the basis of the "job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions," as claimed in the claims of the present invention, but not on a "person by person" basis as in the prior art.

(5) Regarding the 35 USC 112, first paragraph, rejection, in page 3 of the Office Action, concerning dependent claim 27, "a worker group having a job object," the rejection rationale of which is not appropriate, as follows. The Examiner asserts: "It is the job which has the job object, the worker group and the worker group's members as resources. Wording consistent with the Specification would be "job object of a first job," and "the job object of the first job is not allocated." However, the Examiner is imposing the prior art on the claimed invention by asserting that it is the job which has the job object, and and the Applicants (i.e., inventors) respectfully request that the Examiner reconsider and give weight to the specification, page 8, lines 16-20, which provides:

The procedure memory 1 stores and updates a job definition form 11 that defines the period, members, processes, windows, objects, and data of each job of each group. The job definition

form 11 is used to share resources among the group.

Therefore, the job definition form defines a job of a group (i.e., defines a group and its job) and does not define a job and a group assigned to the job. This subtle difference between the present invention and the prior art is a patentably distinguishing feature.

In view of the foregoing remarks, including the remarks by the inventors, the withdrawal of all 35 USC 112, first paragraph, rejections, is respectfully requested.

**35 USC 112, SECOND PARAGRAPH, REJECTION**

The Examiner maintains the rejection of claims 1-18, 25, 26, 29 and 32, under 35 USC 112, second paragraph, for indefiniteness. The Examiner newly provides suggestions to amend the independent claim 1, and dependent claims 29 and 32. See also, page 17 of the Office Action.

Claims 1, 27, 29, 30, 32, 33 and 34 are amended, taking into consideration the Examiner's comments. Withdrawal of the indefiniteness rejections is respectfully requested.

**35 USC 103 REJECTIONS**

1. The Examiner maintains the rejection of claims 1, 3, 5, 27, 30, 33 and 34, under 35 USC 103(a) as being unpatentable over Fargher (US Patent No. 5,826,040) in view of Matsuzaki (US Patent No. 5,767,848). Therefore, the independent claims 1, 27, 30, 33 and 34 are still rejected over Fargher and Matsuzaki. Page 5, item 4 of the Office Action.

2. The Examiner maintains the rejection of dependent claims 4, 6, and 11-15, under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, and "IBM Disclosure Bulletin." Page 7, item 5 of the Office Action.

3. The Examiner maintains the rejection of dependent claims 2, 28-29, and 31-32, under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM Bulletin and Rapazo (PC Week). Page 9, item 6 of the Office Action.

4. The Examiner maintains the rejection of dependent claims 7-9 and 25, under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM Bulletin, Persham, (US Patent No. 5,260,986), Hwang (US Patent No. 5,530,892), Gaskill (US Patent No. 5,440,559), Morishima (US Patent No. 5,589,956) and D'Agosto (US Patent No. 4,975,896).

5. The Examiner maintains the rejection of dependent claims 10, 26, 17 and 18, under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM Bulletin, Waldren (US Patent No. 4,884,219), Zinsmeyer (US Patent No. 3,927,800) and Morishima.

6. The Examiner maintains the rejection of dependent claim 16, under 35 USC 103(a) as being unpatentable over Fargher, Matsuzaki, IBM Bulletin, Waldren, Zinsmeyer, Morishima, and Weber (US Patent No. 4,995,071).

The Examiner's primary rationale rejecting the independent claims 1, 27, 30, 33 and 34 is that the specification does not provide support for the claims 1, 27 and 30 recitation, "each job definition form representing a group of workers as a job" See, page 15, item 2(b), and page 18, items (b), (c), of the Office Action. For clarity, the phrase, "each job definition form representing a group of workers as a job" is deleted for being redundant, because the independent claims, for example, second paragraph of claim 1 reciting "a form generator generating job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions" would already be understandable without adding the deleted phrase in the independent claims.

More particularly, the Applicants do not agree with the Examiner's rejection rationale, as follows:

The claims recite the idea of processing jobs based upon worker group by worker group via the job definition form 11 disclosed in FIGS. 9 and 36 of the present Application. In contrast to Fargher and Matsuzaki, which are relied upon to reject the independent claims 1, 27, 30, 33 and 34, and the other relied upon prior art, the present claimed invention provides, "generating job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions;" ~~conditions, each job definition form representing a group of workers as a job;~~ (e.g., amended independent claim 1). However, the prior art only defines jobs, and, further in contrast to the prior art, in the present claimed invention software required for a job must be used on the basis of the "job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions," as claimed in the claims of the present invention, but not on a "person by person" basis as in the prior art.

Page 2, lines 30-32, of the specification discloses that the present invention provides:

An object of the first aspect of the present invention is to allow jobs to be efficiently carried out by groups of workers through a network and maintain the security of resources handled by the groups. The first aspect employs a job definition form that defines the jobs, objects, and procedure of each group. According to the job definition form, the first aspect dynamically controls the right to use resources including windows, objects (programs), and data among the groups.

The specification on page 8, lines 16-19, provides:

The procedure memory 1 stores and updates a job definition form 11 that defines the period, members, processes, windows, objects, and data of each job of each group. The job definition form 11 is used to share resources among the group.

The specification on page 8, lines 19-20, provides:

The job definition form 11 is used to share resources among the groups.

The specification on page 10, lines 29-31, provides:

A job of a given group is changed to another according to the job definition form 11.

The specification on page 11, line 33 to page 12, line 2, provides:

For this purpose, member and periods to process resources must be clarified and properly scheduled. This is achieved by using the job definition form 11 that controls the job of each group and an overall definition form that controls the jobs of all groups. Each schedule must be made according to the job definition forms.

The specification on page 15, line 33 to page 16, line 13, provides:

... The request definition form defines the procedures of each job of the group. According to the request definition forms, the procedure memory 1 prepares a job definition form 11 that defines the jobs, work hours, requires resources of each group.

The specification on page 16, lines 14-20, provides:

Figure 9 shows an example of the job definition form 11 prepared according to the request definition forms of FIG. 8. The job definition form 11 defines the jobs of each group, the names of workers of each group, the data of start of the jobs, the date of completion of the jobs, and the procedures, resources, and end conditions of each job.

The specification on page 23, lines 17-24, provides:

The server 100 manages resources group by group. Each group is allowed to use resources such as windows, objects, and data allocated to the group. The rights to use resources may be exchanged among the groups. The resources are automatically exchanged among the groups according to the progress of jobs of the groups. The groups work independently while cooperating with one another.

The specification on page 28, lines 29-36, provides:

Figure 42 is a flowchart showing steps taken by the scheduler 3. Step S121 receives the job definition form from the job monitor 2.



Step S122 prepares the schedule of each group through communications with the job monitor 2. Step S123 corrects the schedules if a delay occurs in the schedules and provides the job monitor 2 with amended definition forms. Step S124 determines whether or not the jobs of the job definition forms are complete (emphasis added).

FIG. 9 of the present Application, which is a job definition form, expressly discloses, "GROUP A (JOB A1) ... GROUP Z (JOB Z1)," members of the "GROUPS A-Z," and the jobs of each group, such as "GROUP A (JOB A1): resource ([window, ...], [object, ...], [data1, ...]). If each group carries out a single job, the name of the job is omitted and only the name of the group is specified. See, page 16, lines 14-30 of the specification.

Therefore, in view of the specification, the present invention processes worker groups, because the job definition form 11 defines jobs of worker groups, whereas conventionally a job definition form would define jobs. One effect or benefit of using the job definition form of the claimed invention is that the system of the present invention essentially processes a group of workers, hence the claim recitation that each job definition form represents a group of workers as a job or "a form generator generating job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions; ~~conditions; each job definition form representing a group of workers as a job~~; a resource manager managing the job-object conditions worker group by worker group in real-time based upon the job definition form" (e.g., amended independent claim 1).

In the present invention, the job definition form defines jobs of groups of workers, so that the system operates based upon performance of the group of workers, rather than conventionally keeping track of job projects and managing which job projects and job resources are being used and have been completed by the workers as reported by the workers. In other words, in contrast to Fargher and Matsuzaki, the claimed invention recites, "a resource manager managing the job-object conditions worker group by worker group in real-time based upon the job definition form" (e.g., claim 1). In contrast to Fargher and Matsuzaki, the claimed invention also recites:

a scheduler establishing the job-object conditions and ***scheduling*** each worker group to process the job objects, ***according to each worker group procedure defined in the job definition form***; and

a job monitor performing real-time monitoring of job processing by the worker groups and performing real-time

controlling of sharing of the job-objects among the worker groups while ***maintaining security of the job objects according to the job-object conditions managed by the resource manager, thereby for a first worker group inhibiting access to the job objects thereof from another worker group to which permission to use the job objects of the first worker group is not allocated*** (e.g., claim 1, emphasis added).

Accordingly, contrary to the Examiner's assertions regarding non-enablement in pages 15-17, items 2(b) and 4(c), of the Office Action, it is clear from the specification that by processing the job definition form shown in FIGS. 9 and 36, the system of the present invention essentially manages a group of workers performing a job, rather than conventionally managing a job including the group of workers assigned to the job. The Applicants asserts that the claims recite, "a resource manager managing the job-object conditions worker group by worker group in real-time based upon the job definition form," which conveys idea of processing jobs based upon worker group by worker group via the job definition form 11 disclosed in FIGS. 9 and 36 of the present Application.

The Examiner admits that Fargher does not disclose the present invention's "job definition form," and relies on Matsuzaki. Matsuzaki merely discloses a method for supporting development and design of a new product as shown in FIG. 1, and does not disclose dynamic use of plural resources using "job definition form" of the present invention.

The Examiner essentially asserts in page 18, items 1(a), (b), and (c) of the Office Action, which is also used reject the claims under 35 USC 103(a), that Matsuzaki uses forms for the purpose of managing projects in column 19, lines 67 to column 20, line 9). However, Matsuzaki simply does not disclose or suggest the present invention's, "form generator generating job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions, ~~each job definition form representing a group of workers as a job,~~" as shown in FIGS. 9 and 36 of the present application.

It is respectfully asserted that Matsuzaki and Fargher are designed according to jobs and groups of workers assigned to the jobs, and only provide worker group management as an attribute, if at all, for example, by allowing changing members assigned to jobs as disclosed in Matsuzaki's column 14. However, Matsuzaki does not provide the present invention's "job definition form" for resource management among the worker groups (e.g., resource sharing while maintaining security). Matsuzaki's FIG. 1 and column 5, line 35 to column 7, line 65, disclose development activity models, which represent jobs, but Matsuzaki's development

activity models differ from the present invention's "job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions, ~~each job definition form representing a group of workers as a job~~; a resource manager managing the job-object conditions worker group by worker group in real-time based upon the job definition form." In other words, Matsuzaki's activity models do not "define worker groups to process the objects of the object-oriented system" (claim 1).

Therefore, Matsuzaki manages jobs according to the jobs as shown in Matsuzaki's FIG. 2 and column 7, lines 12-28. In particular, Matsuzaki manages jobs according to development activities (column 13, lines 47-53; and column 13, line 54 to column 14, line 65). In contrast to Matsuzaki, in the claimed invention, worker groups are defined to perform jobs in the job definition form. In other words, Fargher and Matsuzaki, and none of the other relied upon prior art, provide the present claimed invention's, "generating job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions, ~~conditions, each job definition form representing a group of workers as a job~~"; but the prior art only defines jobs, and, further in contrast to the prior art, in the present claimed invention software required for a job must be used on the basis of the "job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions," as claimed in the claims of the present invention, but not on a "person by person" basis as in the prior art.

Regarding the Examiner's rationale in page 19, item 1(c), of the Office Action, the Examiner asserts that in the present invention worker groups are assigned to a job as a resource. However, as discussed above, this is contrary to what is disclosed in FIGS. 9 and 36, and in page 2, lines 30-32, of the specification. In fact, the Examiner's characterization in page 16 of the Office Action, that "it is logically incorrect to consider a worker group as being definitely synonymous with a job," highlights the patentably distinguishing feature of the present invention, because, the Examiner cannot locate the "job definition" form of the invention in any prior art. In page 16 of the Office Action, the Examiner asserts that a worker group is not made the basis of a job definition, however, clearly FIGS. 9 and 36 and the specification references discussed above, show defining group of workers and their jobs, rather than conventionally based upon jobs and groups of workers assigned to the jobs. Also, FIGS. 2-7 and page 13, line 4 to page 15, line 32, illustrate, "a resource manager managing the job-object conditions worker group by worker group in real-time based upon the job definition form" (claim 1).

Also, in contrast to the relied upon references, independent claims 33 and 34, using

claim 33 as an example, recite, "a job object manager to store one or more groups of workers, **to assign a specified job object to the groups of workers**, to store permission information for the specified job object, and **to determine whether the specified job object is available to a first worker group based on the assignment information**; ..." (emphasis added).

In view of the claim amendments and the remarks, the Applicants request reconsideration of the claims, and withdrawal of the rejections of pending claims and allowance of the pending claims.


### **CONCLUSION**

In view of the remarks and claim amendments, withdrawal of the rejection of claims 1-18 and 25-34, and allowance of claims 1-18 and 25-34 is respectfully requested.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,  
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